

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK**

United States of America,

Plaintiff,

v.

Helen M. Foss,

Defendant.

Civil Action No.: 1:20-cv-00788-GTS-DJS

CONSENT DECREE AND FINAL JUDGMENT

THIS CAUSE comes before the Court upon the Joint Stipulation to Entry of Consent Decree and Final Judgment (“Stipulation”) of the Plaintiff, United States of America (“Plaintiff”), and Defendant Helen M. Foss (“Defendant”) (Plaintiff and Defendant are collectively referred to as the “Parties”). The Court, having reviewed the Stipulation and finding that Plaintiff brought this action against Defendant pursuant to the Fraud Injunction Statute, 18 U.S.C. § 1345, alleging that Defendant was violating or was about to violate 18 U.S.C. §§ 1343 and 1344 by executing a scheme or artifice to defraud, or for obtaining money or property by means of false or fraudulent representations with the intent to defraud, using the United States mails and interstate or foreign wire communications, and finding that Defendant has waived service of the Summons and the Complaint, and being otherwise fully advised, it is

HEREBY ADJUDGED, ORDERED, AND DECREED as follows:

1. This Court has jurisdiction over this matter and the Parties pursuant to 18 U.S.C. § 1345 and 28 U.S.C. §§ 1331 and 1345. Venue is proper in this District under 28 U.S.C. § 1391(b) and (c).

2. For purposes of this Consent Decree:

- a. “Defendant” means Helen M. Foss.
 - b. “Person” means an individual, a corporation, a partnership, or any other entity.
 - c. “Funds” include any currency, check, money order, stored value card, stored value card numbers, bank wire transmission, or other monetary value.
 - d. “Prize promotion fraud” means a plan, program, promotion, or campaign that is conducted to mislead a prospective victim or victims to believe that they have won, or may or will win or receive, a sweepstakes, contest, lottery, prize, inheritance, money, property, or other thing of value, contingent on the victim providing, or providing a means of accessing or obtaining, any fee.
 - e. “Money transmitting business” refers to a person who, for a fee, receives funds from one person for the purpose of transmitting the funds, or providing access to the funds, to another person.
 - f. “Fee” refers to a payment or compensation of any kind regardless of how the payment or compensation is labeled, including but not limited to processing fees, service fees, expediting fees, purchase fees, nominal fees, symbolic payments, gifts and gratuities.
3. Upon entry of this Decree, Defendant, Defendant’s agents, officers, and employees, and all other persons and entities in active concert or participation with them are permanently prohibited and enjoined from, directly or indirectly, assisting, facilitating, or participating in:
- a. any prize promotion fraud; and
 - b. any money transmitting business.

4. Within fifteen (15) days after entry of this Consent Decree, the Defendant is ordered to submit to U.S. Postal Inspector Joseph P. Kelly a written acknowledgement of receipt of this Consent Decree. Defendant shall submit the written acknowledgement by U.S. Mail to:

U.S. Postal Inspector Joseph P. Kelly
U.S. Postal Inspection Service
Boston Division – Troy, NY Domicile
P.O. Box 238
Troy, NY 12181

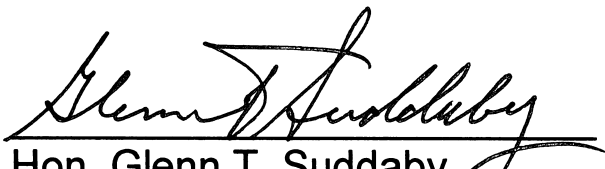
5. The Consent Decree shall not be modified except in writing by Plaintiff and the Defendant, and subject to approval by the Court.

6. This Consent Decree shall constitute a final judgment and order in this action.

7. This Court retains jurisdiction of this action for the purpose of enforcing or modifying this Consent Decree and for the purpose of granting such additional relief as may be necessary or appropriate.

8. The Clerk of Court is directed to **CLOSE** this case.

DONE AND ORDERED in Chambers at Syracuse, New York
16th day of July, 2020.


Hon. Glenn T. Suddaby
Chief U.S. District Judge